



UNITED STATES MARINE CORPS

MARINE CORPS BASE

PSC Box 20004

Camp Lejeune, North Carolina 28542-0004

BO 11015.6C

TE&O

OCT 23 1996

BASE ORDER 11015.6C

From: Commanding General
To: Distribution List

Subj: TERRESTRIAL ENDANGERED SPECIES PROTECTION PROGRAM/MEASURES

Ref: (a) Endangered Species Act of 1973, 16 U.S.C. 1531 to 1544 (NOTAL)
(b) 50 C.F.R. 17.11 and 17.12 (NOTAL)
(c) MCO P5090.2 (NOTAL)
(d) BO 11015.3B
(e) BO P3570.1
(f) BO 11000.1C

Encl: (1) Map of Red-cockaded Woodpecker Restricted Areas
(2) Map of Rough-leaved Loosestrife Restricted Areas
(3) Examples of Boundary Markings Delineating Red-cockaded Woodpecker Buffer Zones and Marked Habitat for the Rough-leaved Loosestrife

1. Purpose. To set forth regulations and establish responsibilities to ensure the conservation of the Federally-listed, endangered red-cockaded woodpecker (*Picoides borealis*) and rough-leaved loosestrife (*Lysimachia asperulaefolia*) aboard Marine Corps Base (MCB), Camp Lejeune.

2. Cancellation. BO 11015.6B.

3. Background

a. In accordance with reference (a), it is unlawful for any person(s) subject to the jurisdiction of the United States to harass, harm, or capture any endangered species within the United States. Further, it is unlawful for any person(s) to violate any regulation promulgated for the protection of any such species. Reference (b) contains the list of plant and animal species protected under reference (a). References (c) and (d) promulgate Marine Corps and Marine Corps Base policy for the conservation of endangered and threatened species in compliance with reference (a). Reference (e) further promulgates Marine Corps Base policy concerning the relationship between military training and environmental conservation.

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b. Penalties and Enforcement. The provisions of this Order shall be enforced by any person authorized by the commanding general to carry out any enforcement responsibility on MCB, Camp Lejeune. Such enforcement persons shall be empowered to detain and inspect any person whom they have reasonable grounds to believe is committing a violation of this Order. The endangered or threatened wildlife and plants listed in the enclosure are protected by North Carolina and Federal law. Any person who violates the prohibitions listed in reference (b) or provisions of any permits issued under reference (b), is subject to prosecution under Federal law. Violations of Federal law protecting endangered species may be punished by criminal fines not to exceed \$100,000, or imprisonment for up to one year, or both. Violations of Federal regulations pertaining to threatened species are punishable by penalties of half these amounts. Civil penalties up to \$25,000 per violation may also be imposed upon those who violate Federal laws which protect endangered and threatened wildlife and plants.

c. The following species are listed in reference (d) and are addressed in this Base Order:

(1) Red-cockaded Woodpecker. The red-cockaded woodpecker is one of seven woodpecker species known to nest aboard MCB, Camp Lejeune. The red-cockaded woodpecker is unique among all woodpecker species found aboard MCB, Camp Lejeune, because of its requirement for mature, live, southern yellow pine for foraging, nesting, and roosting habitat. The red-cockaded woodpecker is present aboard MCB, Camp Lejeune, as shown in enclosure (1).

(2) Rough-leaved Loosestrife. The rough-leaved loosestrife is a perennial, herbaceous plant found growing in ecotones separating well-drained longleaf pine or oak savannas and wetter, shrubby plant communities growing on moist sand or peat. Enclosure (2) displays the distribution of the rough-leaved loosestrife aboard MCB, Camp Lejeune.

d. The following endangered species habitat marking strategies are employed aboard MCB, Camp Lejeune:

(1) Red-cockaded woodpecker buffer zones - A single band of white, non-toxic latex paint on the lower portion of tree trunks and signs reading "Restricted Area Endangered Species Site," "No Vehicles Allowed," or "Endangered Species Colony Buffer Zone" as depicted in enclosure (3).

(2) Rough-leaved Loosestrife Marked Habitat - A single band of white, non-toxic latex paint on the lower portion of tree trunks and signs reading "Restricted Area Endangered Species Site," "No Vehicles Allowed," or "Endangered Species Colony Buffer Zone" as depicted in enclosure (3). In tree limited sites, the colony will be marked only with signs.

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4. Summary of Revision. This Order has been revised in its entirety and should be review thoroughly.

5. Definitions. The following terms describe features critical to managing/protecting Federally-listed, endangered species occurring in the land-based training areas aboard MCB, Camp Lejeune.

a. "Cavity Tree" - A tree containing one or more red-cockaded woodpecker cavities.

b. "Buffer Zone" - The area extending 200 feet outward from the outermost cavity trees and encompassing all cavity trees in each cavity tree cluster;

c. "Cavity Tree Cluster" - An aggregation of cavity trees supporting or formerly supporting a group of red-cockaded woodpeckers. Previously referred to as a "colony."

d. "Ecotone" - A transitional area between two or more distinct natural communities.

e. "Marked Habitat" - The area marked around a rough-leaved loosestrife site to include a 100 foot buffer from the outermost plants of the site.

6. Prohibitions

a. The following actions violate references (a) and (e), and guidelines concerning the red-cockaded woodpecker and its habitat:

(1) The use of any vehicle off designated trails within red-cockaded woodpecker buffer zones.

(2) The cutting or damaging of pine trees of any size within red-cockaded woodpecker buffer zones.

(3) Any earth disturbing activity such as excavating or digging foxholes within red-cockaded woodpecker buffer zones.

(4) Bivouacing and the establishment of command posts within red-cockaded woodpecker buffer zones.

(5) "Tree topping" of antennas, girdling of pine trees with communications wire, burying of cables and climbing pine trees with tree gaffs within red-cockaded woodpecker buffer zones.

(6) The firing of artillery within 200 meters of a red-cockaded woodpecker buffer zone is prohibited.

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(7) Any act which results in the shooting, wounding, killing, capturing or collecting of any red-cockaded woodpecker, the destruction of its eggs, the destruction of its nesting site or the attempt to engage in such conduct is prohibited.

b. The following actions violate reference (a) and guidelines concerning the rough-leaved loosestrife and its habitat:

(1) The use of any vehicle off designated trails within marked habitat for rough-leaved loosestrife.

(2) The cutting or damaging of pine trees of any size within marked habitat for rough-leaved loosestrife.

(3) Any earth disturbing activity such as excavating or digging foxholes within marked habitat for rough-leaved loosestrife.

(4) Any drainage or other activities which might alter site hydrology within marked habitat for rough-leaved loosestrife.

(5) Vehicular traffic is prohibited on the power line right-of-way on the eastern edge of the Greater Sandy Run Area between Moores' Ridge Road (Grid 720329) and Folkstone (Grid 695236).

(6) It is unlawful to remove or reduce to possession, Federally-listed plants from MCB, Camp Lejeune, maliciously damage or destroy Federally-listed plants or remove, cut, dig up, damage or destroy any such species on any other area in knowing violation of any law or regulation governing protection of these species.

c. The removal or destruction of signs marking restricted areas is prohibited.

d. The following is intended to clarify protection and preservation of the environment during training activities:

(1) Pine trees will not be cut down or damaged in any training area by tactical units unless authorized by the Assistant Chief of Staff, Environmental Management Department (AC/S, EMD). Tree cutting requests must indicate the number, size, and physical location of the trees. Such requests must be submitted to the AC/S, EMD for approval.

(2) Trees will not be cut for parachute extraction or in other unplanned situations without approval of the AC/S, EMD and notification of Range Control. This applies anywhere aboard MCB, Camp Lejeune lands. In the case of injured parachutists suspended

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from trees, the injured person's welfare always takes precedence, particularly in life-threatening situations.

(3) The cutting of pine foliage or pine trees for camouflage is prohibited. The cutting of other foliage, including deciduous evergreen vegetation, is permissible with the stipulation that shrubs/trees will be no larger than four inches diameter-at-breast-height (measured at 4-1/2 feet above the ground).

(4) Earth disturbing activities (including tank ditches, demolition shots, trenches, foxholes, and vehicle defilade positions) are prohibited in endangered species protected areas and within 100 feet of creeks, rivers, ponds, and other natural waterways. This restriction does not apply to individual hand-dug foxholes within 100 feet of creeks and other natural waterways.

(5) Maximum use will be made of established tank trails and range roads for administrative moves. Measures will be taken to minimize silting of creeks caused by wheeled or tracked vehicles at fords and approaches thereto. Areas subject to or showing signs of erosion shall be avoided, especially by heavy equipment and tracked vehicles. No digging or land contouring is allowed in these areas. Creek crossings by vehicles should be avoided if possible.

(6) No off-road movement by tracked vehicles.

(7) Training and field exercises will be conducted in a manner which will minimize adverse impacts on the environment while still accomplishing training objectives. As appropriate, written environmental documentation may be required for some training programs and field exercises. Reference (f) requires action proponent to coordinate with the AC/S, Training, Education and Operations (AC/S, TE&O) and to notify the AC/S, EMD in a timely manner.

7. Action. Commanders and officers-in-charge will ensure strict compliance with the following regulations:

a. Within the red-cockaded woodpecker buffer zones and marked habitat for the rough-leaved loosestrife, as identified in enclosures (1) and (2):

AUTHORIZED ACTIVITIES

(1) Use of wheeled or tracked vehicles on existing, well-defined, main roads or trails.

(2) Movement on foot.

(3) Blank small arms firing.

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8. Responsibility. In accordance with reference (d), the Director, Fish and Wildlife Division (F&W Div), will apprise the AC/S, EMD when new Federally-protected endangered species features are identified aboard MCB, Camp Lejeune, including new red-cockaded woodpecker cavity trees and rough-leaved loosestrife sites. Remarkings and inspection of Federally-listed, threatened, or endangered species sites will be conducted under the cognizance of the AC/S, TE&O and supported by representatives from the F&W Div, EMD.

9. Violations

a. Reports. Violations of this Order that are observed or noted shall be reported to the AC/S, TE&O, MCB. Substantiated reports of violations will be forwarded to cognizant commanding officers or the Special Assistant United States Attorney for action as they deem appropriate.

b. Military members who violate this Order are subject to prosecution under the Uniform Code of Military Justice.

c. Civilian personnel who engage, or attempt to engage in prohibited conduct with regard to red-cockaded woodpeckers, their eggs, or their nests; and/or engage or attempt to engage in prohibited conduct with regard to the rough-leaved loosestrife, its sites, hydrology or individual plants are subject to prosecution under reference (a) by the Special Assistant United States Attorney, Office of the Staff Judge Advocate, MCB, Camp Lejeune.

10. Notice. A copy of this Order shall be made available to commanding officers or officers-in-charge of units who use areas which are inhabited by the red-cockaded woodpecker and the rough-leaved loosestrife aboard MCB, Camp Lejeune. The contents of this Order shall be known to all military members using such areas.

11. Reports. Command/general staff recipients of reports concerning violations of this Order must provide a response within 15 working days to the Commanding General, Marine Corps Base, Camp Lejeune (Attention: AC/S, TE&O) regarding the resolution of each report of violation pertaining to the respective command.

12. Reserve Applicability. This Order is applicable to the Marine Corps Reserve.

13. Concurrence. This Order has been coordinated with and concurred in by the Commander, U.S. Marine Corps Forces, Atlantic;

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the Commanding Generals, II Marine Expeditionary Force; 2d Marine Division; 2d Force Service Support Group; and the Commanding Officer, Marine Corps Air Station, New River.

A handwritten signature in black ink, appearing to read "J. T. Murray", with a large, stylized flourish at the end.

J. T. MURRAY
Chief of Staff

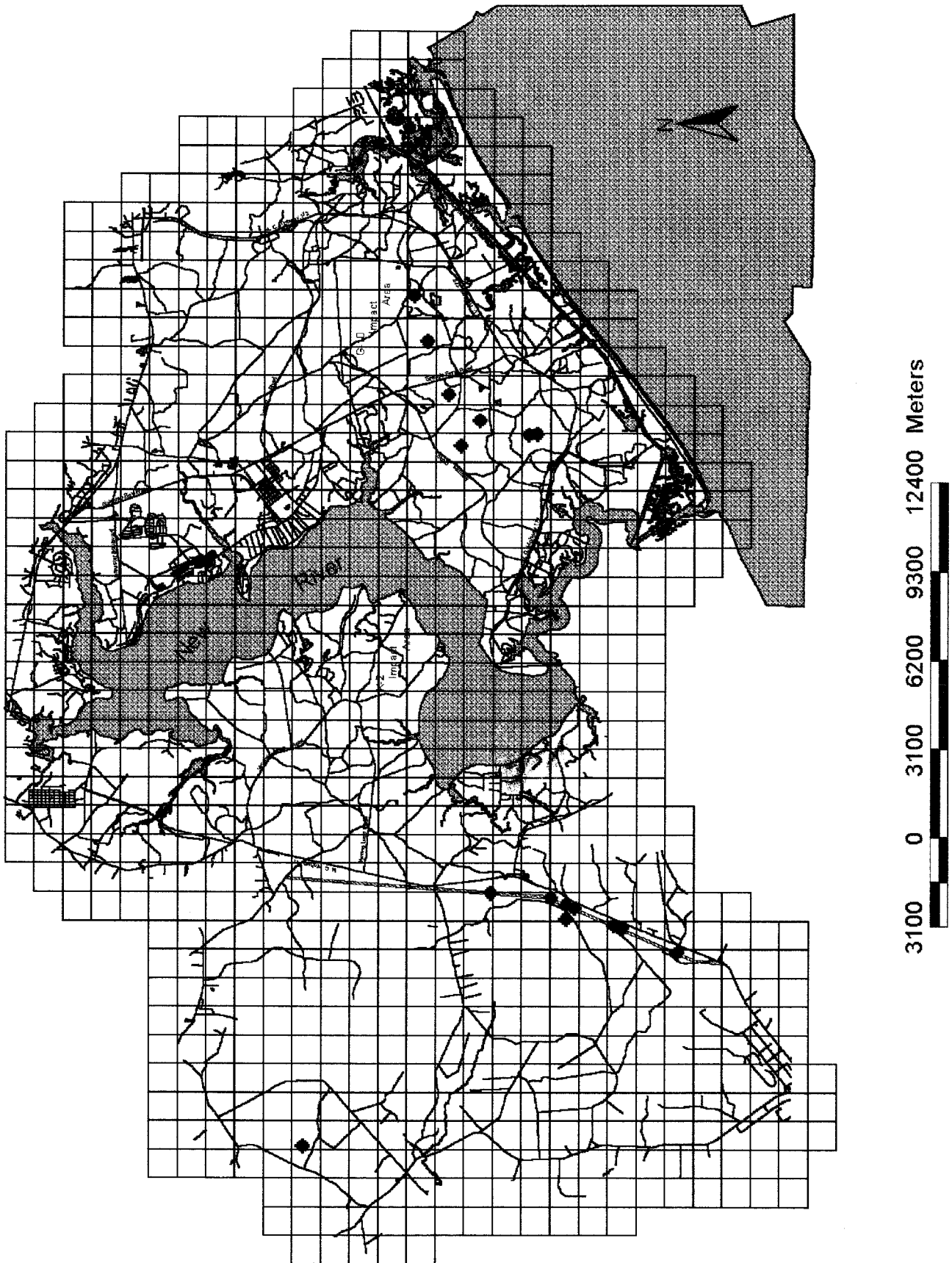
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MAP OF ROUGH-LEAVED LOOSESTRIFE SITES

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EXAMPLE OF BOUNDARY MARKING DELINEATING
RED-COCKADED WOODPECKER BUFFER ZONES AND
MARKED HABITAT FOR THE ROUGH-LEAVED LOOSESTRIFE

